

# Key Content of Judiciary Environmental Training Manual

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COLLOQUIUM ON INTEGRATING ENVIRONMENTAL LAW TRAINING IN  
JUDICIARIES IN AFRICA

JOHANNESBURG, SOUTH AFRICA

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# Manual /Bench Book

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- Manual for training sessions
- Bench book usually for use by the judge in court i.e. quick reference book

# Structure of Manual

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- Continental or by region?
- The whole of Africa
- Sub regional
- By country-
  - “Bespoke” / country specific or general skeletal manual
  - Issue Specific

# Electronic or Hard copy

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- Web based with links on substantive law, global developments, judicial decisions in Africa (Resource).....Phone, Tablets/ipad, pdf(format)
- Simpler hard copy version

# Content

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- 1. Document Review ( Before Manual Development)**
  - Strategic Plan or Policy (National/Judiciary)
- 2. Needs Assessment so that training is evidence based**
  - Questionnaire
  - One on one interviews
  - Focus Group Discussions
- 3. Needs assessment findings will inform Identification of target groups for training**
  - Judges
  - Magistrates
  - Prosecutors and others optional
  - Train together or by profession or rank

# Content

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## 4. Identify trainers and resource persons

- Judicial officers
- Ministry/field officers
- Experts and academics
- Interest groups ???

# Content cont'd –Duration and Regularity of Training

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## 5. Orientation/ In Service

- /environmental or “green judges”
- Appellate judges
- Or Everyone?
- Minimum training for all judges
- 3-4 times a year (regularity)

# Session Design and Session Plans

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- Sessions
  - Adequate breaks, question time/feedback
- Duration- Not too short, not too long
- Books
- Topics



# Topics

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- State of environmental law
- Substantive issues on environmental law
- Forestry/wildlife (deforestation), desertification, fisheries, marine
- Mining including oil and gas
- Technology, Trade, Human Rights
- Procedure
  - Civil,
  - Administrative
  - Criminal – Sentencing range and guidelines/
  - Many matters may not come up as environmental/masked in other kinds.
  - Victimless offences
  - ADR (Mediation skills)

# Session Objectives

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- Clearly identified
  - Behavior, knowledge, attitudes or change or public perception determines what tools you use i.e. video, case study, experience sharing etc
  - AT THE END OF TRAINING THE JUDGES ARE EXPECTED TO .....
- Planning the session
  - Location
  - Reading materials
  - Duration

# Teaching/Learning Activities

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**Which activity is more appropriate for which sessions and for who?**

- Film/movies
- Role play
- Experience sharing- in-country/cross country
- Case study
- Tests, quizzes,
- brainstorming,
- Debates
- Group discussions
- lectures
- Manual should help which activity is appropriate for which session

# Evaluation

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- Manual should make provision for evaluation of presenters, organizers (session), learners/trainees, as well as the Judiciary
- Impact on the judge in his conduct or work
- Impact on the Judiciary/public
- Tools
  - Evaluation forms can be used after every session
  - Recap
  - Observe the judges in court after training
  - Review decisions of the judges and magistrates
  - Survey with the public
- Tie evaluation to training objectives
- Kirkpatrick's model

# Research and Archiving

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- The manual should make reference to international best practices
- Reference to other research materials, cases, conventions, articles, conferences, international instruments, bilateral agreements
- Encourage research
- Archiving/storing for further use

# Annexures

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- Electronic- decide format that can be widely used in a continent where some countries have severe challenges with power and internet accessibility
- Forms
- Table of fines
- Tool kit for green courts

# Integrating Environmental Law in Judicial Training Curriculum

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- Ensure prominent presence of Environmental Sessions in the Curricula of Judicial Training Institutes.
- Green Courts/Tribunals
- Encourage Green Judges
- Work towards a Green Manual

# Partnership, Funding, Interest Groups

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- Neutrality of the bench
- Ownership and independence



# Conclusion

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- I hope I have made useful suggestions as to what a Judiciary Training Manual on Environmental Law should contain.

Thank You All.